

JOURNAL OF THE HOUSE.

Friday, December 8, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Gracious God, each day we place our trust and hope in You. We believe that You and Your assistance are always available to us as we struggle with our family needs as well as with our personal concerns and responsibilities. During this season of the year, our hearts and minds are open in a special way to people in our communities who are in need of help and services. Inspire us to respond in a positive and generous manner. Teach us, also, to be open to dialogue with neighbors and constituents as we try to address in a mature and thoughtful manner the many complex and emotional political, legislative and policy issues of these changing times.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Acting Governor — Veto.

Taunton, firefighter eligibility.

A message from Her Honor the Lieutenant-Governor, Acting Governor, returning with her objections thereto in writing the engrossed Bill authorizing the certification and eligibility of certain firefighters in the city of Taunton [see House, No. 4977] (for message, see House, No. 5363) was filed in the Office of the Clerk on Thursday, December 7.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

Resolutions.

James R. Johnson.

Resolutions (filed with the Clerk by Ms. Peisch of Wellesley) congratulating James R. Johnson on retirement from the Massachusetts Department of Revenue, were referred, under Rule 85, to the committee on Rules.

Mr. Petrolati of Ludlow, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Timilty of Milton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Ms. Gobi of Spencer presented a petition (subject to Joint Rule 12) of Anne M. Gobi for legislation to establish a sick leave bank for Denise Goodreau, an employee of the Department of Mental Retardation; and the same was referred, under Rule 24, to the committee on Rules.

Denise Goodreau, sick leave.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

A Bill increasing the number of licenses for the sale of alcoholic beverages to be granted by the licensing board for the city of Boston (printed as House, No. 5341) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Boston, liquor licenses.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Petrucci of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

A Bill to provide for reimbursement of human service providers for increases in minimum wage rates (Senate, No. 694) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Human Services providers, wages.

Bills

Clarifying coordination of the funds deposited into the Diane Zani Boni Breast Cancer Research Fund (Senate, No. 2732) (on a petition);

Diane Zani Boni Cancer Fund.

Relative to MBTA fare evasion (Senate, No. 2756) (on Senate, No. 2721) [Representatives Goguen of Fitchburg, Paulsen of Belmont and Sciortino of Medford dissenting]; and

MBTA, fare evasion.

Authorizing the town of Rockland to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2758) (on Senate, No. 2730) [Local Approval Received];

Rockland, liquor license.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A communication from the Hampshire Sheriff's Office relative to corrective measures taken pursuant to a Department of Public Health inspection of the Hampshire County Jail and House of Correction in the city of Northampton on November 18, 2006, was spread upon the records of the House; and returned to the Senate.

Hampshire Sheriff's office.

Bridgewater
State
Hospital,
inspection.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of Bridgewater State Hospital, in the town of Bridgewater, was spread upon the records of the House; and returned to the Senate.

James M.
Kelly
Bridge.

A petition of John A. Hart, Jr., for legislation to designate the Broadway Bridge in South Boston as the James M. Kelly Bridge Boston, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2761) was referred, in concurrence, to the committee on Transportation.

The following notices were received from the Clerk of the Senate, to wit:

December 7, 2006.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Dear Mr. Speaker:

Workforce
Accountability
Task Force.

I have the honor to inform you that the Honorable Robert E. Travaglini, President of the Senate, has announced the appointment of Senator Thomas M. McGee as a member of the Workforce Accountability Task Force (as established pursuant to Section 23 of Chapter 123 of the Acts of 2006).

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

November 30, 2006.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Brian P. Lees, Minority Leader of the Senate, has announced the following appointments:

Homelessness.

Senator Michael R. Knapik to the Special Commission established (pursuant to Section 1 of Chapter 2 of the Resolves) relative to ending homelessness in the Commonwealth;

Goddard
Council on
Science.

Senator Bruce E. Tarr (pursuant to Section 4A of Chapter 15A of the General Laws) to the Robert H. Goddard Council on Science, Technology, Engineering and Mathematics Education; and

Senator Scott P. Brown (pursuant to Section 11 of Chapter 23H of the General Laws) to the Performance Standards and Workforce Accountability Task Force.

Workforce
Accountability
Task Force.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill designating the rotunda of the West Roxbury District Court as the James Joseph Rush Rotunda (House, No. 5352). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

James
Joseph
Rush
Rotunda.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Fagan of Taunton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to vacation accrual rate of Donald J. Castle, an employee of the Trial Court (Senate, No. 2105) be scheduled for consideration by the House.

Donald J.
Castle,
vacation
time.

Under suspension of Rule 7A, on motion of Mrs. Paulsen of Belmont, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the period of registration of real estate appraisers (Senate, No. 2422) be scheduled for consideration by the House.

Real estate
appraisers,
registration.

Under suspension of Rule 7A, on motion of Mr. Bradley of Hingham, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill regulating certain musical performances and the protection of performing groups (Senate, No. 2530) be scheduled for consideration by the House.

Performing
groups,
protection.

Under suspension of Rule 7A, on motion of Mr. Fagan of Taunton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Arlington to issue certain temporary loans in anticipation of bonds (Senate, No. 2579, changed) be scheduled for consideration by the House.

Arlington,
bonds.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

Upton,
recall
elections.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing recall elections in the town of Upton (Senate, No. 2613) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Paulsen of Belmont, the bill was read a second time forthwith; and it was ordered to a third reading.

Hopkinton,
stabilization
fund.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the stabilization fund of the town of Hopkinton (House, No. 4868) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Hill of Ipswich, the bill was read a second time forthwith; and it was ordered to a third reading.

Municipalities,
liability
funds.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill to establish retiree health care liability funds for municipalities (House, No. 4887) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Haddad of Somerset, the bill was read a second time forthwith; and it was ordered to a third reading.

Hingham,
deputy
police chief.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill exempting the position of deputy police chief in the town of Hingham from the civil service laws (House, No. 5036) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Bradley of Hingham, the bill was read a second time forthwith; and it was ordered to a third reading.

Dennis,
golf fund.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a golf course capital improvement fund in the town of Dennis (House, No. 5087) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Timilty of Milton, the bill was read a second time forthwith; and it was ordered to a third reading.

Lexington,
town
meetings.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to town meeting votes in the town of Lexington (House, No. 5137) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Paulsen of Belmont, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill further clarifying the retirement status of a disabled Norwood police officer (House, No. 5327) be scheduled for consideration by the House.

Norwood,
Joseph
Fernandes.

Under suspension of Rule 7A, on motion of Mr. Hill of Ipswich, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Paula Phelan, an employee of the Massachusetts Department of Industrial Accidents (House, No. 5339) be scheduled for consideration by the House.

Paula
Phelan,
sick leave
bank.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a recommitted petition, a Bill relative to justices of the peace (House, No. 661). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Justices of
the peace.

Engrossed Bills.

Engrossed bills

Authorizing the licensing authority of the town of Northborough to grant five additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2557, amended) (which originated in the Senate);

Bills
enacted.

Authorizing transfers from the North East Solid Waste Committee Enterprise Fund balance in the town of Acton (see House, No. 4944, changed);

Authorizing the town of Rehoboth to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 5183); and

Authorizing the town of Winchester to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 5334);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Reconsideration.

Mr. Bradley of Hingham moved that the vote be reconsidered by which the House, on Monday last, passed to be enacted the engrossed Bill relative to medical peer review committees (see Senate, No. 2418, amended) and the motion to reconsider was considered forthwith; and it prevailed.

Medical
peer
review
committees.

On the recurring question on passing the bill to be enacted, further consideration thereof was postponed, on further motion of the same member, until Monday next.

Orders of the Day.

Massachusetts
History
Day.

The engrossed Bill designating the annual observance of Massachusetts History Day and establishing a special commission on civic engagement and learning (see House, No. 3465, amended) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 5321), was considered.

The amendment recommended by the Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

By striking out section 2 (as engrossed).
Sent to the Senate for concurrence.

Senate bills

Third
reading
bills.

Authorizing the issuance of pension funding bonds by the city of Quincy (Senate, No. 2414);

Relative to the taxation of forest, farm, and recreation land (Senate, No. 2683); and

Regulating exemptions for cooperative corporations under the Community Preservation Act (Senate, No. 2725);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Third
reading
bills and
resolve.

Relative to group marketing plans (House, No. 4974);

Relative to the Swansea Water District (House, No. 5179);

Authorizing the town of Belmont to place a certain question relative to the sale of wine and malt beverages on the town's election ballot (House, No. 5274);

Relative to the granting of special licenses for the sale of alcoholic beverages in the town of Belmont (House, No. 5275);

Authorizing the town of Chatham to lease certain buildings (House, No. 5313);

Establishing a sick leave bank for Carol Denault, an employee of the Department of Mental Health (House, No. 5342) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Lori Mazanec, an employee of the Trial Court of the Commonwealth (House, No. 5343); and

The House Resolve in favor of Burton W. Gerrig, Esquire (House, No. 4048);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Second
reading
bill.

The House Bill exempting certain clerical positions in the town of Billerica from the provisions of the civil service law (House, No. 4695) was read a second time; and it was ordered to a third reading.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M. Next
sitting.

At seventeen minutes before twelve o'clock noon, on motion of Mr. Lepper of Attleboro (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.